

1R PAC

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**



re the Application of:

Gunter REICHEL

Art Unit: not yet assigned

Application No.: 10/549,627

Examiner: not yet assigned

Filed: 09/20/2005

Attorney Dkt. No.: 12007-0058

For: HINGE (as amended)

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT UNDER 37 C.F.R.  
1.181**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

When checking the status of this application on November 10, 2008, Applicant discovered that a Notice of Abandonment issued on July 17, 2006 for this application because the PTO did not receive a response to the Notice to File Missing Parts (Notice) dated May 12, 2006.

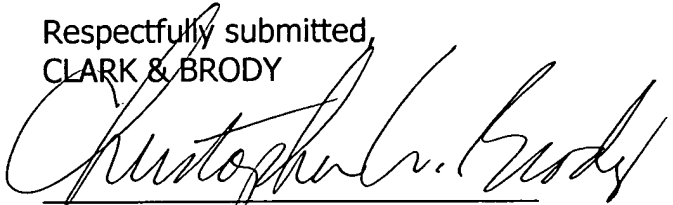
Applicant petitions for a withdrawal of the holding of abandonment since a response to the Notice was timely filed on July 7, 2006. A copy of the response as filed is enclosed along with a copy of the stamped postcard receipt, showing the filing date mentioned above. Since Applicant properly responded to the Notice in a timely fashion, the holding of Abandonment should be withdrawn.

Applicant is also submitting a copy of the check (front and back) submitted with the July 7, 2006 filing. The cashing of Applicant's check is further evidence that the

PTO received the July 7, 2006 filing and that no further charge should be incurred as part of the Petition.

Again, Applicant respectfully submits that there is no fee required for this submission, however, please charge any fee deficiency or credit any overpayment to Deposit Account No. 50-1088.

Respectfully submitted,  
CLARK & BRODY

A handwritten signature in black ink, appearing to read "Christopher W. Brody", written over a horizontal line.

Christopher W. Brody  
Registration No. 33,613

**Customer No. 22902**

1090 Vermont Ave., N.W., Suite 250  
Washington, D.C. 20005  
Telephone: 202-835-1111  
Facsimile: 202-835-1755  
Date: November 14, 2008

071000817110691

**This is a LEGAL COPY of your check. You can use it the same way you would use the original check.**

07/13/2006 07:00  
07/13/2006 07:00

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER AND ORIGINAL DOCUMENT SCREEN ON BACK WITH PAOLLOCK SECURITY PATTERN		5708
<b>CLARK &amp; BRODY</b> 1000 VERMONT AVENUE, STE. 250 WASHINGTON, DC 20005	<b>BANK OF AMERICA</b> 10440 MAIN STREET FAIRFAX, VA 22030	5708
	10-120540	5708
	DATE	AMOUNT
	Jul 6/2006	\$65.00
SIXTY FIVE ***** 00/100		
PAY TO THE ORDER OF:	Commissioner of Patents & Trademarks	
10/549,627 / Late Filing Surcharge / 12007-0058		<i>Christopher Brody</i>
#005708# 1054001204: 001920268073#		#0000006500#

[illegible]

DATE 07/14/06  
C 644 DC

7690T7778000T70  
76312007304  
PHILA, PA 67124-0511

3720.1

PAYMENT AND TRADEMARK OFFICE  
 13-10-001  
 07-15-2006  
 FOR CREDIT TO THE  
 U.S. TREASURY

DO NOT WRITE, STAMP OR SIGN BELOW THIS LINE  
 IN 20 INCH OR SMALLER RECTANGULAR SIZE

\*J11012822\* 07/13/2006  
001092656451

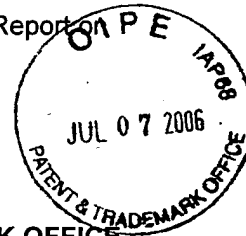
↓ Do not endorse or write below this line. ↓

Applicant: Gunter REICHEL  
U.S. Application No.: 10/549,627  
Title: HINGE (as amended)

Docket No.: 12007-0058  
Filing Date: 09/20/2005

**PAPERS BEING FILED:**

1. Transmittal Letter to the US Designated/Elected Office (Small Entity)
2. Executed Declaration/Power of Attorney - 1 page
3. Copy of Notification to File Missing Requirements
4. Information Disclosure Statement w/ PTO Form 1449
5. Copy of International Search Report
6. References - 4
7. Submission of Translation of International Preliminary Report on Patentability
8. Check #5708 / \$65.00



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TODAY'S DATE: July 7, 2006

Atty: CWB/tb

**CLARK & BRODY**

**5708**

DATE : Jul 6/2006  
CHE # : 5708  
AMOUNT: \$65.00

PAID TO: Commissioner of Patents & Trademarks

10/549,627 / Late Filing Surcharge / 12007-0058

## DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I declare that:

My residence, post office address, and citizenship are as stated below next to my name. I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter that is claimed and for which a patent is sought on the invention entitled:

## HINGE (AS AMENDED)

the specification of which:

☒ is attached hereto; OR

☒ was filed on March 17, 2004 as U.S. Application Number or PCT International Application Number PCT/EP2004/002755

and (if applicable) was amended on \_\_\_\_\_

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information of which I am aware and which is material to the examination of the patent application in accordance with 37 CFR §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or (f), or §365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, or inventor's certificate, or §365(a) of any PCT International application which designates at least one country other than the United States, listed below any foreign application for patent, inventor's or plant breeder's rights certificate(s), or an PCT international application having a filing date before that of the application on which priority is claimed.

## Prior Foreign Application(s)

NUMBER	COUNTRY	DAY/MONTH/YEAR FILED	PRIORITY CLAIMED?
203 04 646.3	GERMANY	21/MARCH/2003	YES

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

PROVISIONAL APPLICATION NUMBER	FILING DATE

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s), or §365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose information known to me which is material to the patentability as defined in 37 CFR §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

INTERNATIONAL APPLICATION NUMBER	FILING DATE	STATUS (Patented, Pending, Granted)

Each undersigned applicant hereby appoints: CONRAD J. CLARK (Registration No. 30,340) and CHRISTOPHER W. BRODY (Registration No. 33,613) (both associated with Customer No. 22902), as his attorneys with full power of substitution to prosecute the subject application and to transact all business in the Patent and Trademark Office connected therewith. Send Correspondence to: (Customer No. 22902) CLARK & BRODY, 1090 Vermont Avenue, NW, Suite 250, Washington, DC 20005; Telephone: 202-835-1111; Facsimile: 202-835-1755.

I hereby declare that all statements made herein of my own knowledge are true and that all statement made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: **Gunter Reichel**

Inventor's signature: Gunter Reichel

Date: 27.06.06

Residence: **Dauphtal, Germany**

Citizenship: **Germany**

Post Office Address: **Steinhardtweg 9, D-35232 Dauphtal, Germany**

Full name of second joint inventor, if any:

Inventor's signature:

Date:

Residence:

Citizenship:

Post Office Address:

COPY

From the INTERNATIONAL BUREAU

**PCT**

NOTIFICATION OF TRANSMITTAL  
OF COPIES OF TRANSLATION  
OF THE INTERNATIONAL PRELIMINARY REPORT  
ON PATENTABILITY  
(CHAPTER I OR CHAPTER II  
OF THE PATENT COOPERATION TREATY)  
(PCT Rules 44bis.3(c) and 72.2)

To:

OLBRICHT & BUCHHOLD EINGANG  
Am Weinberg 15  
35096 Weimar (Lahn)  
ALLEMAGNE

- 8. März 2006

Frist: .....

Date of mailing (day/month/year) 02 March 2006 (02.03.2006)	
Applicant's or agent's file reference WO 1102	IMPORTANT NOTIFICATION
International application No. PCT/EP2004/002755	International filing date (day/month/year) 17 March 2004 (17.03.2004)
Applicant REICHEL, Günter	

## 1. Transmittal of the translation to the applicant.



The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter I).



The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter II).

## 2. Transmittal of the copy of the translation to the designated or elected Offices.

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following designated or elected Offices requiring such translation:

None

The following designated or elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

AE, AG, AL, AM, AP, AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EA, EC, EE, EG, EP, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NA, NI, NO, NZ, OA, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW

## 3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability (Chapter II).

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned within the applicable time limit (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

COPY

The International Bureau of WIPO  
34, chemin des Colombettes  
1211 Geneva 20, Switzerland

Authorized officer

Agnes Wittmann-Regis

Facsimile No. +41 22 740 14 35

Facsimile No. +41 22 338 89 70

## PATENT COOPERATION TREATY

## PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY  
(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference WO 1102	<b>FOR FURTHER ACTION</b>		See item 4 below
International application No. PCT/EP2004/002755	International filing date ( <i>day/month/year</i> ) 17 March 2004 (17.03.2004)	Priority date ( <i>day/month/year</i> ) 21 March 2003 (21.03.2003)	
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237			
Applicant REICHEL, Günter			

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis.1(a).

2. This REPORT consists of a total of 6 sheets, including this cover sheet.

In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

3. This report contains indications relating to the following items:

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Box No. I   | Basis of the report   |
| <input checked="" type="checkbox"/> Box No. II  | Priority  |
| <input type="checkbox"/> Box No. III            | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability  |
| <input type="checkbox"/> Box No. IV             | Lack of unity of invention  |
| <input checked="" type="checkbox"/> Box No. V   | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> Box No. VI             | Certain documents cited   |
| <input checked="" type="checkbox"/> Box No. VII | Certain defects in the international application  |
| <input type="checkbox"/> Box No. VIII           | Certain observations on the international application   |

4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland  Facsimile No. +41 22 740 14 35	Date of issuance of this report 21 February 2006 (21.02.2006)
	Authorized officer  Agnes Wittmann-Regis  Telephone No. +41 22 338 89 70

Form PCT/IB/373 (January 2004)

COPY

# PATENT COOPERATION TREATY

From the  
INTERNATIONAL SEARCHING AUTHORITY

To:

# PCT

**Translation**

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:		Date of mailing (day/month/year)
Applicant's or agent's file reference <b>WO 1102</b>		<b>FOR FURTHER ACTION</b> See paragraph 2 below
International application No. <b>PCT/EP2004/002755</b>	International filing date (day/month/year) <b>17.03.2004</b>	Priority date (day/month/year) <b>21.03.2003</b>
International Patent Classification (IPC) or both national classification and IPC		
Applicant <b>REICHEL, Günter</b>		

**1. This opinion contains indications relating to the following items:**

- |                                     |              |  |
|-------------------------------------|--------------|--|
| <input checked="" type="checkbox"/> | Box No. I    | Basis of the opinion   |
| <input checked="" type="checkbox"/> | Box No. II   | Priority   |
| <input type="checkbox"/>            | Box No. III  | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability   |
| <input type="checkbox"/>            | Box No. IV   | Lack of unity of invention   |
| <input checked="" type="checkbox"/> | Box No. V    | Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/>            | Box No. VI   | Certain documents cited  |
| <input checked="" type="checkbox"/> | Box No. VII  | Certain defects in the international application   |
| <input type="checkbox"/>            | Box No. VIII | Certain observations on the international application  |

**2. FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

**3. For further details, see notes to Form PCT/ISA/220.**

Name and mailing address of the ISA/EP	Authorized officer
Facsimile No.	Telephone No.

# COPY



WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/EP2004/002755

Box No. I      Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.  
☐ This opinion has been established on the basis of a translation from the original language into the following language  
\_\_\_\_\_, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
  - a. type of material  
☐ a sequence listing  
☐ table(s) related to the sequence listing
  - b. format of material  
☐ in written format  
☐ in computer readable form
  - c. time of filing/furnishing  
☐ contained in the international application as filed.  
☐ filed together with the international application in computer readable form.  
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/EP2004/002755

Box No. II

Priority

1. ☒ The following document has not yet been furnished:

☒ copy of the earlier application whose priority has been claimed (Rule 43*bis*.1 and 66.7(a)).

☐ translation of the earlier application whose priority has been claimed (Rule 43*bis*.1 and 66.7(b)).

Consequently it has not been possible to consider the validity of the priority claim. This opinion has nevertheless been established on the assumption that the relevant date in the claimed priority date.

2. ☐ This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43*bis*.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.

3. Additional observations, if necessary:

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/EP2004/002755

**Box No. V**

**Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

**1. Statement**

Novelty (N)

Claims 1-22

YES

Claims

NO

Inventive step (IS)

Claims 1-22

YES

Claims

NO

Industrial applicability (IA)

Claims 1-22

YES

Claims

NO

**2. Citations and explanations:**

Document DE-U-20019765, which is considered to be the closest prior art, discloses a fitting for fastening sheets of glass, comprising two pivoting parts, each of which is respectively fixable to a glass sheet by means of a fastening element and permits horizontal adjustment.

The problem to be solved by the invention is to create a fitting that can be fastened to space-closing elements of an alternative design, which permits easy and accurate adjustment while being simple and safe to assemble.

This problem is solved by the features of claim 1.

The strip-shaped fixed part has a stop clamping plate with a lower body that has or forms a two-dimensionally adjustable bearing for the first clamping plate. A strip-shaped casing part that is moveable to a limited extent and is integral with or fixedly connected to the lower part of the bushing is then fixable to the lower body.

The strip-shaped wing part is applied by a second clamping disc, which is fixable in the bore of the door wing by means of projections.

There is nothing in the prior art to suggest such a version of the known fitting could be found in the prior art. The invention defined in claim 1 therefore meets the requirements of Article 33(2) and (3) PCT with respect to novelty and inventive step.

The industrial applicability of the fitting according to claim 1 is obvious (Article 33(4) PCT).

Dependent claims 2 to 22 contain advantageous developments or details of the fitting according to claim 1 and therefore also meet the requirements with regard to novelty, inventive step and industrial applicability (Article 33(2) to (4) PCT).

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/EP2004/002755

Box No. VII      Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

Contrary to the requirements of rule 5.1 a) ii) PCT, the description does not cite document D1 or the relevant prior art disclosed therein.

The feature "a strip-shaped wing part has a plate body (32) with a recess (34) to positively accommodate projections (35) of a second clamping disc (38)" in claim 1 seems to contradict the description (cf. page 7, lines 19-22) and the drawings (Fig. 5, 10a and 10b) (Art. 6 PCT).

The vague and inaccurate statement in the description on page 9, lines 14-17, creates the impression that the subject matter for which protection is being sought does not match the subject matter in the claims, causing a lack of clarity (Article 6 PCT) when the description is used to interpret the claims.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Gunter REICHEL

Application No.: 10/549,627

Filed: 09/20/2005

For: HINGE (as amended)



Art Unit: not yet assigned

Examiner: not yet assigned

Attorney Dkt. No.: 12007-0058

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the provisions of 37 C.F.R. 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached form PTO-1449. It is respectfully requested that the references be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

Applicants respectfully submit that this disclosure is being filed in accordance with 37 C.F.R. 1.97(b), therefore, no fee is required.

Respectfully submitted,  
CLARK & BRODY

Christopher W. Brody  
Registration No. 33,613

**Customer No. 22902**  
1090 Vermont Avenue, N.W., Suite 250  
Washington DC 20005  
Telephone: 202-835-1111  
Facsimile: 202-835-1755

Date: July 7, 2006

COPY

FORM PTO-1449

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO.

**12007-0058**

SERIAL NO.

**10/549,627**

## LIST OF REFERENCES CITED BY APPLICANT

*(Use several sheets if necessary)*

APPLICANT

**Gunter REICHEL**

FILING DATE

**09/20/2005**

GROUP ART UNIT

**Not yet assigned**

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NO.	DATE	NAME	CLASS	SUB- CLASS	FILING DATE

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION		
							YES	NO	PART.
	1.	19649352	06/04/1998	Germany					x
	2.	10118223	10/24/2002	Germany					x
	3.	1108843	06/20/2001	Germany					x
	4.	20019765	02/22/2001	Germany	Translation not required - cited on Int'l Search Report attached			x	

## OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER		DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

COPY

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**



DATE: **July 7, 2006**

U.S. APPLN. NO.  
(IF KNOWN, SEE 37 C.F.R. 1.5)  
**10/549,627**

INTERNATIONAL APPLICATION NO.  
**PCT/EP2004/002755**

INTERNATIONAL FILING DATE  
**March 17, 2004**

PRIORITY DATE CLAIMED  
**March 21, 2003**

TITLE OF INVENTION: **HINGE (AS AMENDED)**

APPLICANT(S) FOR DO/EO/US: **Günter REICHEL**

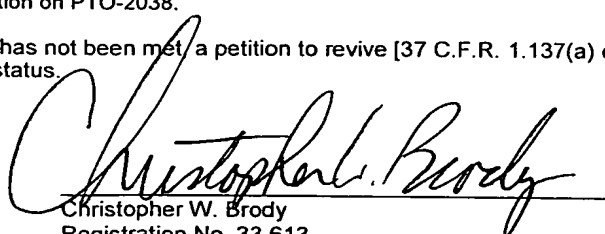
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371. (THE BASIC FILING FEE IS ATTACHED)
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures [35 U.S.C. 371(f)] at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☐ The US has been elected (Article 31).
5. ☐ A copy of the International Application as filed [35 U.S.C. 371(c)(2)]
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed [35 U.S.C. 371(c)(2)].
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)]
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)].
9. ☒ An oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)].
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)].

Items 11 - 20 below concern other document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.  
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☒ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: **COPY OF NOTIFICATION OF MISSING REQUIREMENTS; SUBMISSION OF TRANSLATION OF THE INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY**

**COPY**

U.S. APPLN. NO. (IF KNOWN, SEE 37 C.F.R. 1.50) 10/549,627		INTERNATIONAL APPLICATION NO. PCT/EP004/002755		ATTORNEY DOCKET NO. 12007-0058 DATE: July 7, 2006	
<input checked="" type="checkbox"/> The following fees are submitted:				<b>CALCULATIONS</b>	<b>PTO USE ONLY</b>
<input type="checkbox"/> 21.) Basic National Fee ..... <b>\$300</b>				\$ 0	
<input type="checkbox"/> 22.) Examination Fee - If International Preliminary Examination Report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) ..... <b>\$100</b> All other situations ..... <b>\$200</b>				\$ 0	
<input type="checkbox"/> 23.) Search Fee - If Search Fee (37 CFR 1.445(a)(2) has been paid in the International Application to the USPTO as an International Searching Authority ..... <b>\$100</b> International Search Report prepared and provided to the Office. <b>\$400</b> All other situations ..... <b>\$500</b>				\$ 0	
<b>TOTAL OF 21, 22 and 23 =</b>				\$ 0	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing on computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.				\$ 0	
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
-100	/50=		x \$250	\$ 0	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date [37 C.F.R. 1.492(h)].				\$ 130	
Claims	Number Filed	Number Extra	Rate		
Total Claims	- 20 =	2	X \$50.00	\$ 0	
Independent Claims	- 3 =	0	X \$200.00	\$ 0	
Multiple dependent claim(s) (if applicable)			+ \$360.00	\$ 0	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$ 130	
Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2				\$ 65	
<b>SUBTOTAL =</b>				\$ 65	
Processing fee of \$130.00 for furnishing the English translation later the 30 months from the earliest claimed priority date [37 C.F.R. 1.492(f)].				\$ 0	
<b>TOTAL NATIONAL FEE =</b>				\$ 0	
Fee for recording the enclosed assignment [37 C.F.R. 1.21(h)]. The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 per property				\$ 0	
<b>TOTAL FEES ENCLOSED =</b>				\$ 65	
				Amount to be refunded	\$
				Charged	\$
a. <input checked="" type="checkbox"/> A check in the amount of \$65.00 to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge Counsel's Deposit Account No. 50-1088 in the amount of \$_____ to cover the above fee. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Counsel's Deposit Account No. 50-1088. d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive [37 C.F.R. 1.137(a) or (b)] must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO: <b>CLARK &amp; BRODY</b> 1090 Vermont Avenue, N.W. Suite 250 Washington, D.C. 20005 Telephone: 202-835-1111 Fax: 202-835-1755 Customer Number: 22902					
				 Christopher W. Brody Registration No. 33,613 Date: July 7, 2006	



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Hiroshi KUBOTA et al. ) Art Unit: 3725  
Serial No.: 11/399,324 ) Examiner: not yet assigned  
Filed: April 7, 2006 )

For: METHOD FOR MEASURING MISALIGNMENT OF CONTINUANCE MILL AND  
APPARATUS FOR MEASURING THE SAME

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

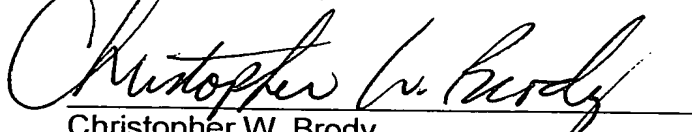
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

SIR:

In response to the Notice to File Missing Parts of Application dated May 11, 2006 (copy enclosed), submitted herewith is an executed Declaration and Power of Attorney.

A check in the amount of \$130.00 is attached for the late filing surcharge, however, please charge any fee deficiency or credit any overpayment to Deposit Account No. 50-1088.

Respectfully submitted,  
CLARK & BRODY

  
Christopher W. Brody  
Registration No. 33, 613

**Customer No. 22902**  
1090 Vermont Avenue, NW, Suite 250  
Washington, DC 20005  
Telephone: 202-835-1111  
Facsimile: 202-835-1755

Docket No.: 12054-0058  
Date: July 7, 2006

COPY



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

Page 1 of 2  
12007-0058  
DOCKETED  
Missing Parts  
Due: Jul 12, 2006  
Final: Dec 12, 2006

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/549,627	Gunter Reichel	12007-0058

22902  
CLARK & BRODY  
1090 VERMONT AVENUE, NW  
SUITE 250  
WASHINGTON, DC 20005



INTERNATIONAL APPLICATION NO.	
PCT/EP04/02755	
I.A. FILING DATE	PRIORITY DATE
03/17/2004	03/21/2003

CONFIRMATION NO. 6055

## 371 FORMALITIES LETTER



\*OC000000018773703\*

Date Mailed: 05/12/2006

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 09/20/2005
- English Translation of the IA filed on 09/20/2005
- Copy of the International Search Report filed on 09/20/2005
- Preliminary Amendments filed on 09/20/2005
- Oath or Declaration filed on 09/20/2005
- U.S. Basic National Fees filed on 09/20/2005
- Specification filed on 09/20/2005
- Claims filed on 09/20/2005
- Abstracts filed on 09/20/2005
- Drawings filed on 09/20/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

COPY

## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

DARRELL C COTTMAN

Telephone: (703) 308-9140 EXT 203

## PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/549,627	PCT/EP04/02755	12007-0058

FORM PCT/DO/EO/905 (371 Formalities Notice)

COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Gunter REICHEL

Application No.: 10/549,627

Filed: 09/20/2005

For: HINGE (as amended)



Art Unit: not yet assigned

Examiner: not yet assigned

Attorney Dkt. No.: 12007-0058

**SUBMISSION OF TRANSLATION OF INTERNATIONAL  
PRELIMINARY REPORT ON PATENTABILITY**

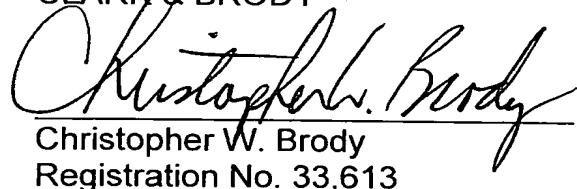
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

For the Examiner's convenience, Applicants respectfully submit herewith a copy of the translation of the International Preliminary Report on Patentability which was issued in the related International Application. The references cited therein have already been disclosed by Applicants in the Information Disclosure Statement filed concurrently herewith.

Applicants respectfully submit that there is no fee required for this submission, however, please charge any fee deficiency or credit any overpayment to Deposit Account No. 50-1088.

Respectfully submitted,  
CLARK & BRODY

  
Christopher W. Brody  
Registration No. 33,613

**Customer No. 22902**  
1090 Vermont Ave., N.W., Suite 250  
Washington, D.C. 20005  
Telephone: 202-835-1111  
Facsimile: 202-835-1755

Date: July 7, 2006

COPY